

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

AMANDA GESSNER,)	
)	
Plaintiff,)	Case No. 1:13-cv-22-SJM-SPB
)	
v.)	
)	
LT. NIXON, <i>et al.</i> ,)	
)	
Defendants.)	

MEMORANDUM ORDER

Plaintiff's civil rights complaint was received by the Clerk of Court on January 22, 2013 and was referred to United States Magistrate Judge Susan Paradise Baxter for report and recommendation in accordance with the Magistrates Act, 28 U.S.C. § 636(b)(1), and Rules 72.1.3 and 72.1.4 of the Local Rules for Magistrates. The Magistrate Judge's Report and Recommendation, filed on June 12, 2013 [24], recommends that Plaintiff's motion for an emergency hearing [15] (construed by the Magistrate Judge as a motion for temporary restraining order) be denied and that Plaintiff's motion for a transfer out of SCI-Muncy [20] also be denied.

Plaintiff was allowed fourteen (14) days from the date of service in which to file objections. Service was made on Plaintiff by certified mail at SCI-Muncy, where she is incarcerated. No objections to the Report and Recommendation have been filed to date. After de novo review of the complaint and documents in the case, together with the Report and Recommendation, the following order is entered:

AND NOW, this 2nd Day of July, 2013;

IT IS ORDERED that Plaintiff's motion for an emergency hearing [15], which we construe as a motion for a temporary restraining order, shall be, and hereby is, DENIED.

IT IS FURTHER ORDERED that Plaintiff's motion to be transferred out of SCI-Muncy [20] shall be, and hereby is, DENIED.

The Report and Recommendation of Magistrate Judge Baxter, filed on June 12, 2013 [24], is adopted as the opinion of this Court.

s/ Sean J. McLaughlin

SEAN J. McLAUGHLIN
Chief United States District Judge

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U.S. Magistrate Judge Susan Paradise Baxter